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November 14, 2022

VIA E.C.F.

Honorable Katharine H. Parker
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Amaury Urena v. City of New York, et al.,
22-CV-01189 (VEC) (KHP)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney representing defendant the City of New York (“City”) in this matter.¹ The City writes in accordance with the Court’s October 13, 2022 Order to “file a status letter by November 14, 2022.” (Dkt. No. 30.)

By way of relevant background, on October 12, 2022, the City filed a letter in accordance with the Court’s August 15, 2022 Order. (See Dkt. No. 29.) Specifically, the City provided a partial response to the Court’s March 8, 2022 Valentin Order and respectfully requested an extension of time to further respond to the Valentin Order and respond to the Complaint. (See id.) The City explained that additional time was needed because, *inter alia*, there is an ongoing New York City Department of Correction (“DOC”) investigation concerning the January 7, 2022 incident giving rise to this matter and, until DOC’s investigation is concluded, this Office will have limited access to documents, recordings, or other information regarding the incident. (See id.)

On October 13, 2022, the Court granted the City’s request, extending the deadline for the City to further respond to the Court’s Valentin Order to December 13, 2022, and respond to the Complaint to January 13, 2023. (See Dkt. No. 30.) In addition, the Court ordered the City to file a status letter by today, November 14, 2022. (See id.)

¹ This case has been assigned to Assistant Corporation Counsel Mary Jane Anderson, who is not yet admitted to the New York State Bar. Ms. Anderson is handling this matter under my supervision and may be reached at (212) 356-2415 or maanders@law.nyc.gov.

Thus, as for the City's update, upon information and belief, DOC's investigation into the alleged incident remains open. Of note, and as detailed in the City's October 12, 2022 Letter, until DOC's investigation concludes, the City is unable to obtain certain relevant documentation such as the investigative file, which is anticipated to provide information concerning the identities of the "John Doe" correction officers noted in the Valentin Order. (See Dkt. No. 29.)

The City thanks the Court for its consideration.

Respectfully submitted,

/s/ Nicolette Pellegrino

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CC: VIA FIRST CLASS MAIL
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